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10/763,157	01/22/2004	David Karl Stroup	110276-03NP	6460

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PROCOPIO, CORY, HARGREAVES & SAVITCH LLP
530 B STREET
SUITE 2100
SAN DIEGO, CA 92101

EXAMINER	
COLLINS, MICHAEL	

ART UNIT	PAPER NUMBER
3651	

DATE MAILED: 04/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/763,157	STROUP, DAVID KARL	
	Examiner	Art Unit	
	Michael K. Collins	3651	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 January 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *10/27/04, 11/15/04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This is a first action on the merits of application 10/763157.

Specification

2. Claim 1 is objected to because of the following informalities: the word "is" should be between assembly and clamped. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 1-16 rejected under 35 U.S.C. 102(b) as being anticipate by Active Pak Automation, LLC, "Dispensing Systems Your Way", 2001; Description and Specifications, pg. 2-1/2-2-4; Designations and functions of main machine components, pgs. 3-1/3-10; Operating Procedures, pgs. 5-1/5-10.

Regarding claim 1, Active-Pak Automation discloses a method of dispensing a desiccant packet to a target, comprising the steps of:

- providing a strip of desiccant packets separated by packet webbing (the dispenser takes packets joined together in a continuous strip [page 2-1])

- providing a desiccant dispenser including a dual tractor belt drive system for advancing the strip of desiccant packets through the desiccant dispenser (pinch roller assembly [page 2-3 and 3-1]), a clamp assembly for clamping the strip of desiccant packets prior to cutting (the ends of the two packet strips are clamped in place [page 2-3]), a cutter blade assembly for cutting a desiccant packet from the strip of desiccant packets (a cutter knife .... to cut the next packet from the strip [page 2-2]), and a position sensor for determining if the clamp assembly clamped on a desiccant packet instead of the packet webbing between desiccant packets (a proximity sensor detects when the jaw is in the clamped position [page 2-3])
- determining with the position sensor if the clamp assembly is clamped on a desiccant packet instead of the packet webbing between desiccant packets (a proximity sensor detects when the jaw is in the clamped position [page 2-3])
- cutting a desiccant packet from the strip of desiccant packets with the cutter blade assembly and dispensing the desiccant packet on the target by cutting the packet webbing above a desiccant packet if it is determined that the clamp assembly is not clamped on a desiccant packet (see paragraph 3 of page 2-2)
- preventing the cutter blade assembly from cutting the strip of desiccant packets if it is determined that the clamp assembly is clamped on a desiccant packet (see paragraph 1 page 2-2)

Regarding claim 2, Active-Pak Automation discloses the method of claim 1, further including a fiber-optic desiccant sensor, and the method further including the steps of sensing with the fiber-optic sensor the webbing between desiccant packets, and preventing the cutter blade assembly from cutting the strip of desiccant packets if the webbing between desiccant packets is not sensed (see paragraph 3 page 2-2).

Regarding claim 3, Active-Pak Automation discloses the method of claim 1, further including a photoelectric sensor, and the method further including the steps of determining with the photoelectric sensor whether the target is below the desiccant dispenser, and preventing the cutter blade assembly from cutting the strip of desiccant packets if it is determined that target is not below the desiccant dispenser (see page 3-1).

Regarding claim 4, Active-Pak Automation discloses the method of claim 1, wherein the cutter blade assembly includes a rotary blade with a blade portion having opposite angled cutting faces (see page 3-1 and 5-1).

Regarding claim 5, Active-Pak Automation discloses the method of claim 4, wherein the rotary blade rotates less than 30 degrees during cutting (see page 5-1).

Regarding claim 6, Active-Pak Automation discloses the method of claim 1, further including a manual cutting length adjustment mechanism for manually adjusting the cutting position of the cutter blade assembly, and the method further including manually adjusting the cutting position of the cutter blade assembly with the manual cutting length adjustment mechanism (see page 5-1).

Regarding claim 7, Active-Pak Automation discloses the method of claim 1, wherein the dual tractor belt drive system includes a left roller assembly and a left tractor belt driven by the left roller assembly and a right roller assembly and a right tractor belt driven by the right roller assembly, the desiccant dispenser further including a belt roller positioning mechanism for moving both roller assemblies and tractor belts between an open and a closed position, and the method further including moving both roller assemblies and tractor belts between an open and a closed position using the belt roller positioning mechanism (see page 3-1).

Regarding claim 8, Active-Pak Automation discloses the method of claim 7, wherein left tractor belt and right tractor belt include parallel lower portions, and the belt roller positioning mechanism moves both roller assemblies and tractor belts between an open and a closed position while maintaining the lower portions of the tractor belts parallel to each other (see page 3-1).

Regarding claim 9, Active-Pak Automation discloses the method of claim 8, wherein the dual tractor belt drive system includes one or more springs that cause the lower portions of the tractor belts to be urged towards each other (see page 3-1).

Regarding claim 10, Active-Pak Automation discloses the method of dispensing a desiccant packet to a target, comprising the steps of:

- providing a strip of desiccant packets separated by packet webbing (the dispenser takes packets joined together in a continuous strip [page 2-1])
- providing a desiccant dispenser including a dual tractor belt drive system for advancing the strip of desiccant packets through the desiccant dispenser, the

dual tractor belt drive system including a left roller assembly and a left tractor belt driven by the left roller assembly and a right roller assembly and a right tractor belt driven by the right roller assembly, a belt roller positioning mechanism for moving both roller assemblies and tractor belts between an open and a closed position, a clamp assembly for clamping the strip of desiccant packets prior to cutting, and a cutter blade assembly for cutting a desiccant packet from the strip of desiccant packets (see page 3-1)

- moving both roller assemblies and tractor belts to an open position using the belt roller positioning mechanism and inserting the strip of desiccant packets between the tractor belts (see page 3-1)
- moving both roller assemblies and tractor belts to a closed position using the belt roller positioning mechanism to maintain the strip of desiccant packets between the tractor belts (see page 3-1)
- cutting a desiccant packet from the strip of desiccant packets with the cutter blade assembly and dispensing the desiccant packet on the target by cutting the packet webbing above a desiccant packet (see page 3-1)

Regarding claim 11, Active-Pak Automation discloses the method of claim 10, wherein the left tractor belt and the right tractor belt include parallel lower portions, and the belt roller positioning mechanism moves both roller assemblies and tractor belts between an open and a closed position while maintaining the lower portions of the tractor belts parallel to each other (see page 3-1).

Regarding claim 12, Active-Pak Automation discloses the method of claim 11, wherein the dual tractor belt drive system includes one or more springs that cause the lower portions of the tractor belts to be urged towards each other (see page 3-1).

Regarding claim 13, Active-Pak Automation discloses the method of claim 10, further including a manual cutting length adjustment mechanism for manually adjusting the cutting position of the cutter blade assembly, and the method further including manually adjusting the cutting position of the cutter blade assembly with the manual cutting length adjustment mechanism (see page 5-1).

Regarding claim 14, Active-Pak Automation discloses the method of dispensing a desiccant packet to a target, comprising the steps of:

- providing a strip of desiccant packets separated by packet webbing (the dispenser takes packets joined together in a continuous strip [page 2-1])
- providing a desiccant dispenser including a dual tractor belt drive system for advancing the strip of desiccant packets through the desiccant dispenser, a clamp assembly for clamping the strip of desiccant packets prior to cutting, a cutter blade assembly for cutting a desiccant packet from the strip of desiccant packets, the cutter blade assembly including a rotary blade with a blade portion having opposite angled cutting faces (see page 3-1)
- cutting a desiccant packet from the strip of desiccant packets with the opposite angled cutting faces of the rotary blade of the cutter blade assembly without shearing the strip (see page 3-1)
- dispensing the desiccant packet on the target (see page 3-1)

Regarding claim 15, Active-Pak Automation discloses the method of claim 14, wherein the rotary blade rotates less than 30 degrees during cutting (see page 3-1).

Regarding claim 16, Active-Pak Automation discloses the method of claim 14, further including a manual cutting length adjustment mechanism for manually adjusting the cutting position of the cutter blade assembly, and the method further including manually adjusting the cutting position of the cutter blade assembly with the manual cutting length adjustment mechanism (see page 3-1).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael K. Collins whose telephone number is (571) 272-8970. The examiner can normally be reached on 8:30 am - 5:00 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene O. Crawford can be reached on (571) 272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M.C.
4/20/2006

GENE O. CRAWFORD
SUPERVISORY PATENT EXAMINER